



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 06-140

Date: January 16, 2007

Application No. 200602192

Expiration Date: February 16, 2007

Please address all comments to: Nashville District Corps of Engineers, Regulatory Branch (Attn: Maryellen Farmer), 3701 Bell Road, Nashville, TN 37214.
Telephone: (615) 369-7517, Fax (615) 369-7501.

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Channel Relocation, Channel Fill, Culvert, and Wetland Fill, Kendrick Creek Mile 4.8 and Unnamed Tributaries, Opposite South Fork Holston River Mile 7.9L, Sullivan County, TN

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant **Section 404 of the Clean Water Act (33 U.S.C. 1344)** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act (16 USC 831y-1)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated.

APPLICANT: Taylor Properties
P.O. Box 1638
Kingsport, Tennessee 37662

LOCATION: Kendrick Creek Mile 4.8 and Unnamed Tributaries, Opposite South Fork Holston River Mile 7.9L, Sullivan County, TN. Latitude: 36°26'52" Longitude: 82°31'42" USGS Topographic Map: Sullivan Gardens, TN

DESCRIPTION: The proposed work consists of fill associated with stream relocation, culvert construction, and wetland fill associated with the commercial development of the 115-acre site.

- Relocate approximately 2200 linear feet of Kendrick Creek into approximately 2300 linear feet of a naturally designed channel.

- Construct a 250' culvert through an existing wetland area proposed to be filled. The purpose of this culvert is to direct an intermittent spring-fed tributary to the proposed created wetland area.
- Fill a 125 linear foot intermittent tributary to Kendrick Creek.
- Fill approximately 1.8 acres of an existing 2 acre emergent wetland.
- A tributary to Kendrick Creek crossing the property would be left in place with a proposed extension of approximately 400 linear feet in order to reach the proposed relocated segment of Kendrick Creek.

Proposed Mitigation

- The new stream channel would be approximately 100 linear feet longer than the existing channel. Cross vanes would be constructed as grade control structures.
- The riparian buffer zone would vary along the length of the stream but would average 100 feet in width. This area would be seeded with annual rye and winter rye for quick cover and erosion control. Additionally, the area would be seeded with the following warm weather grasses: big bluestem, little bluestem, indiangrass and switch grass; and wildflower species: butterfly weed, joe pye weed, New York ironweed and black-eyed susan. The riparian buffer area would also be planted with 400 stems/acre of woody vegetation consisting of pawpaw, red osier dogwood, black willow, spicebush, osage orange, box elder, persimmon, chinquapin, and river cane.
- There are approximately 2 acres of existing emergent herbaceous wetland on the subject property. The applicant is proposing to fill 1.8 acres and mitigate for the loss at a 4:1 ratio on site with the construction of 7.2 acres of wetlands located within the floodplain of Kendrick Creek.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization

of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:





a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

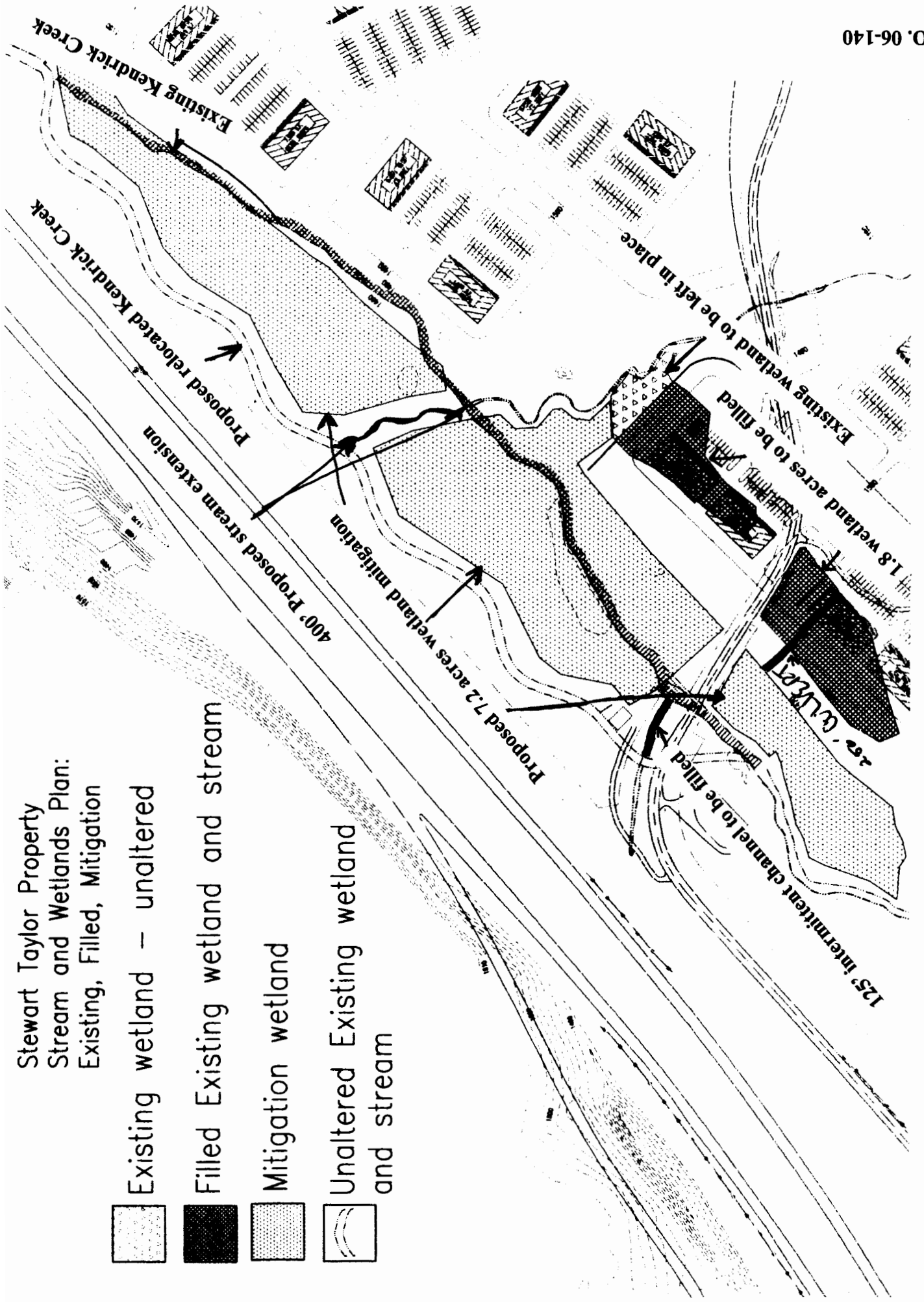
b. Water quality certification from the State of Tennessee, in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Written statements received in this office on or before **February 16, 2007**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Maryellen Farmer, at the above address, (615) 369-7517, Fax (615) 369-7501. The email address is Maryellen.J.Farmer@lrn02.usace.army.mil. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to TVA, Attn: Ms. Anne Patrick, 106 Tri-Cities Business Park Dr., Gray, Tennessee 37615-3497

If you received this notice by mail and wish to view all of the diagrams, visit our web site at: <http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Mrs. Farmer at the above address or phone number.

Stewart Taylor Property
Stream and Wetlands Plan:
Existing, Filled, Mitigation

-  Existing wetland – unaltered
-  Filled Existing wetland and stream
-  Mitigation wetland
-  Unaltered Existing wetland and stream



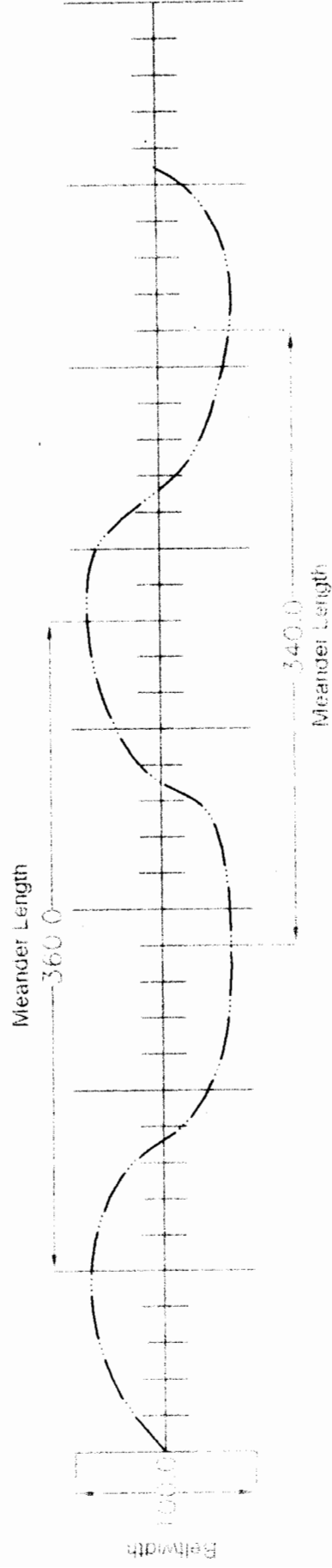
Kendrick Creek Channel Relocation Geometry:

Width: 25'
Depth: 3'
Floodplain: 145' av.
Beltwidth: 95'

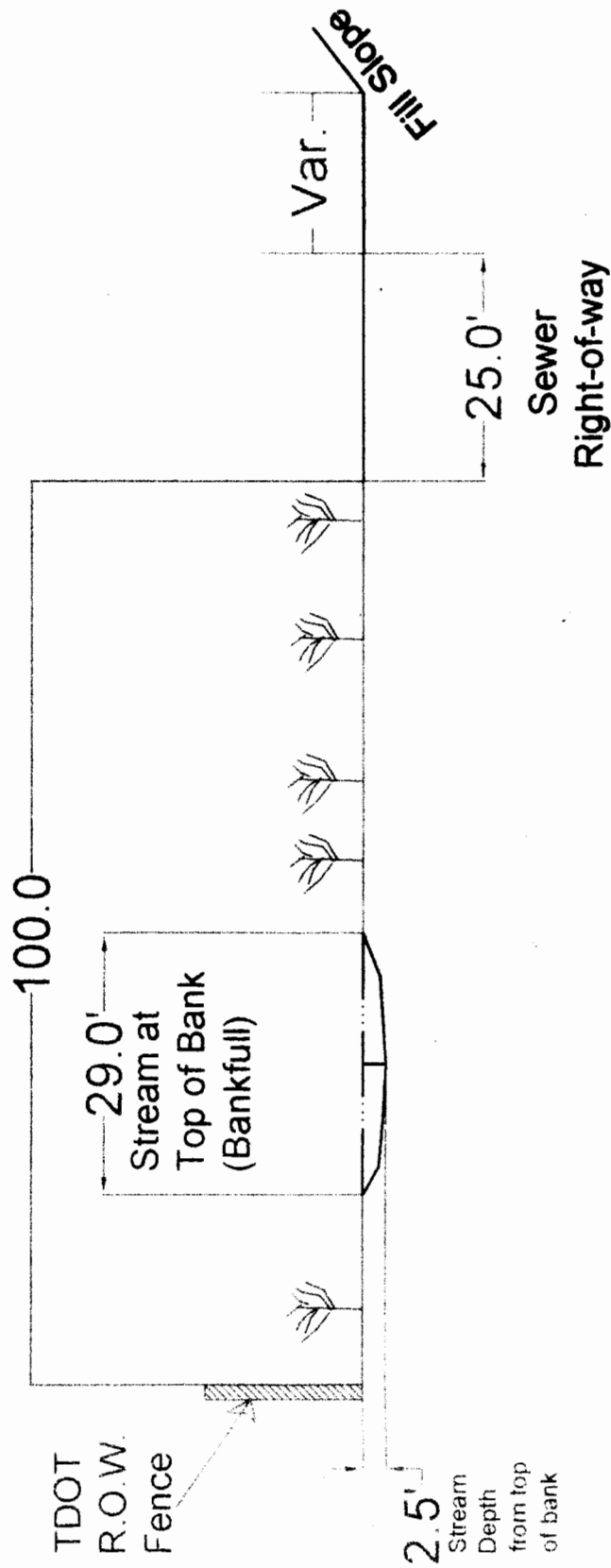
W/D Ratio: 11.6
Entrenchment: 6.0
Floodprone area: 151'

Ln Ratio: 12-14 = Meander wavelength: 300'-350'
Rc Ratio: 7-8 = Radius Curvature: 175'-200'

Scale = 1:100



Kendrick Creek Relocation Area Cross Section

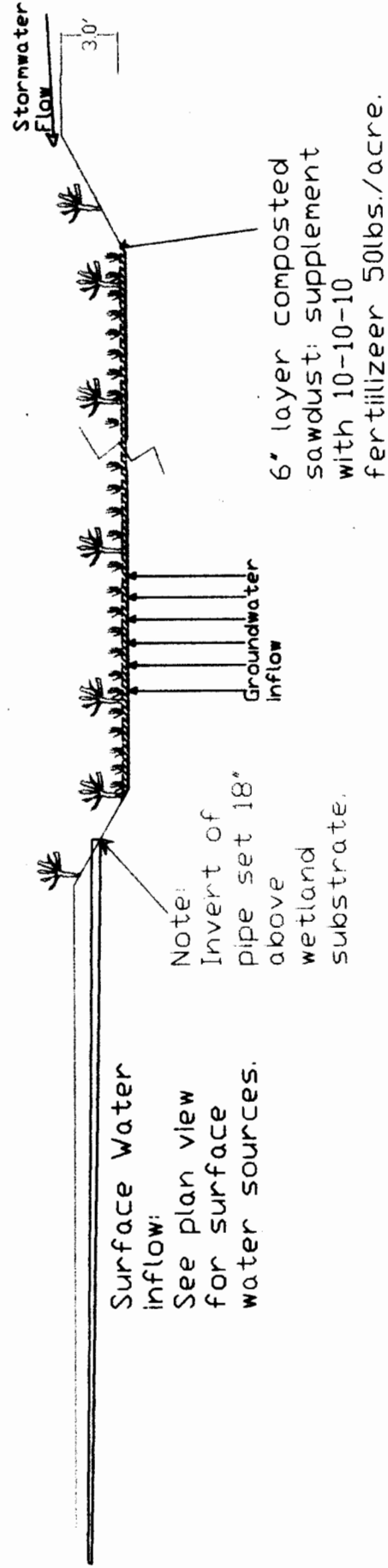


Wetland Grading And Hydrology Plan

FILE NO. 200602192

PN NO. 06-140

Seeding and
planting plans
are included in
the accompanying
permit Application
materials.

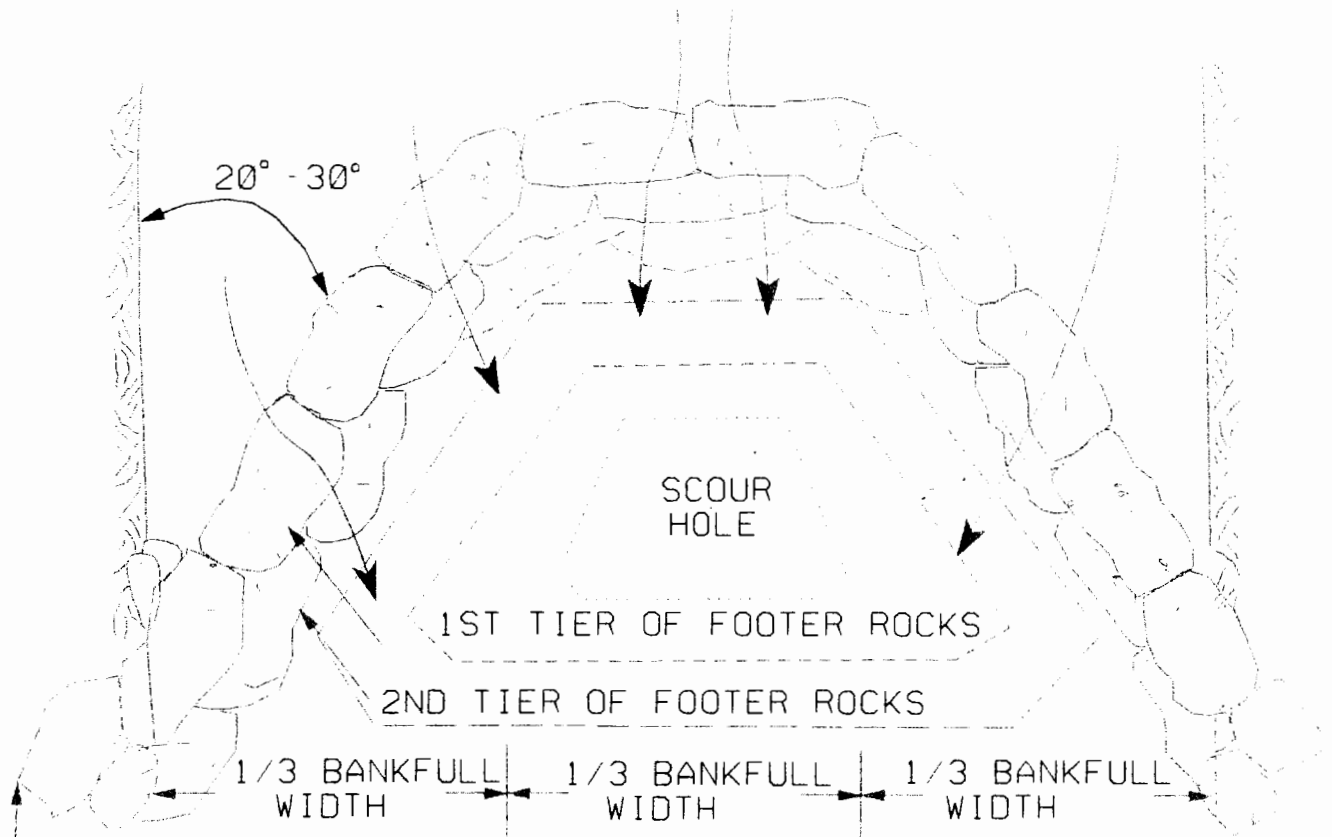


DETAIL 3.8(A): CROSS VANES

SOURCE: ROSSEN, 1999

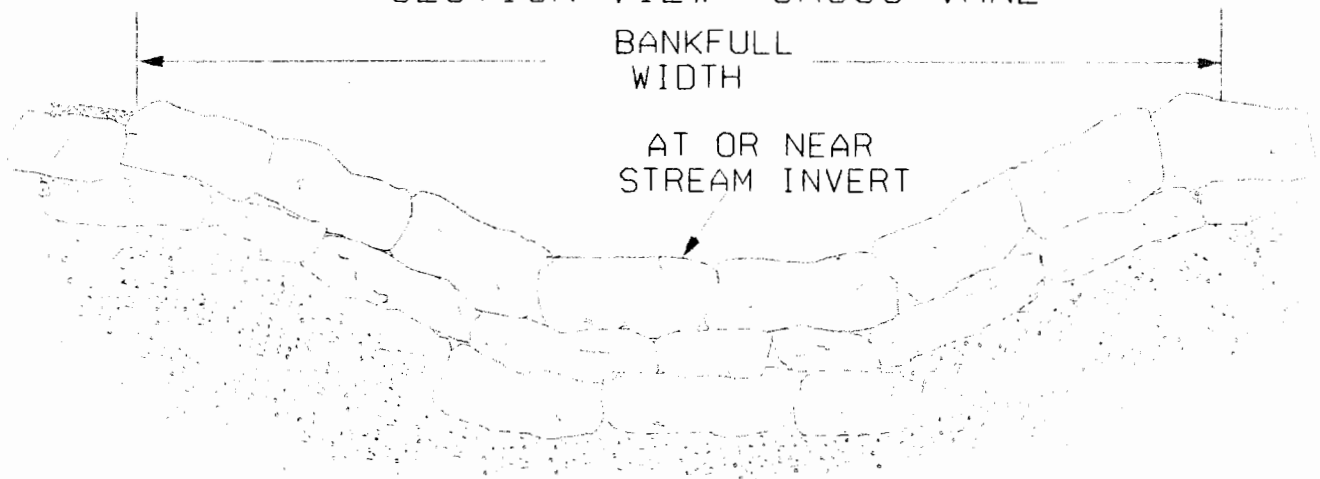
PLAN VIEW: CROSS VANE

FLOW LINES



ANCHOR EACH WING OF VORTEX
WEIR A MINIMUM OF 2 TO 3
ROCKS DEEP INTO BANK

SECTION VIEW: CROSS VANE

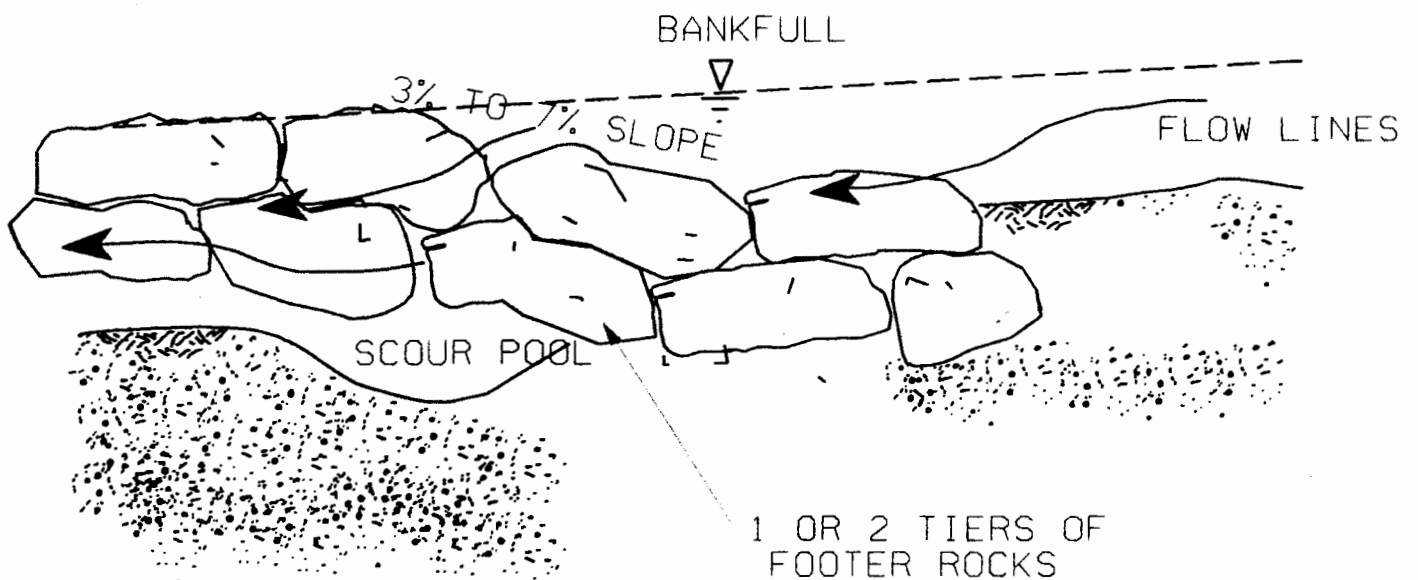


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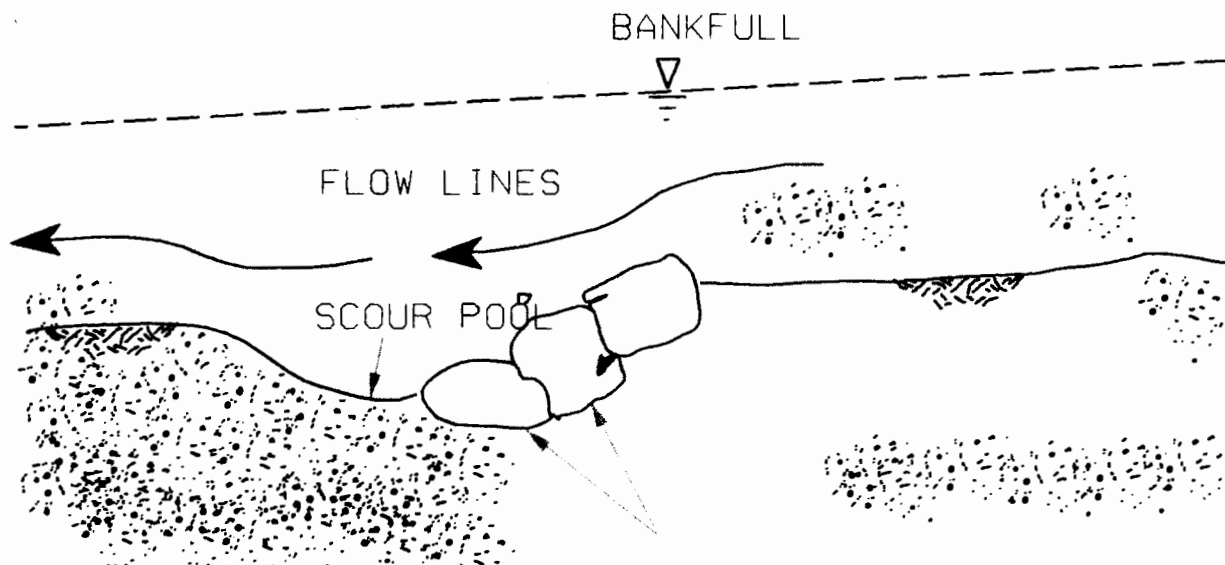
DETAIL 3.8(B): CROSS VANES

SOURCE: ROSCEN, 1999

PROFILE: CROSS VANE ARM

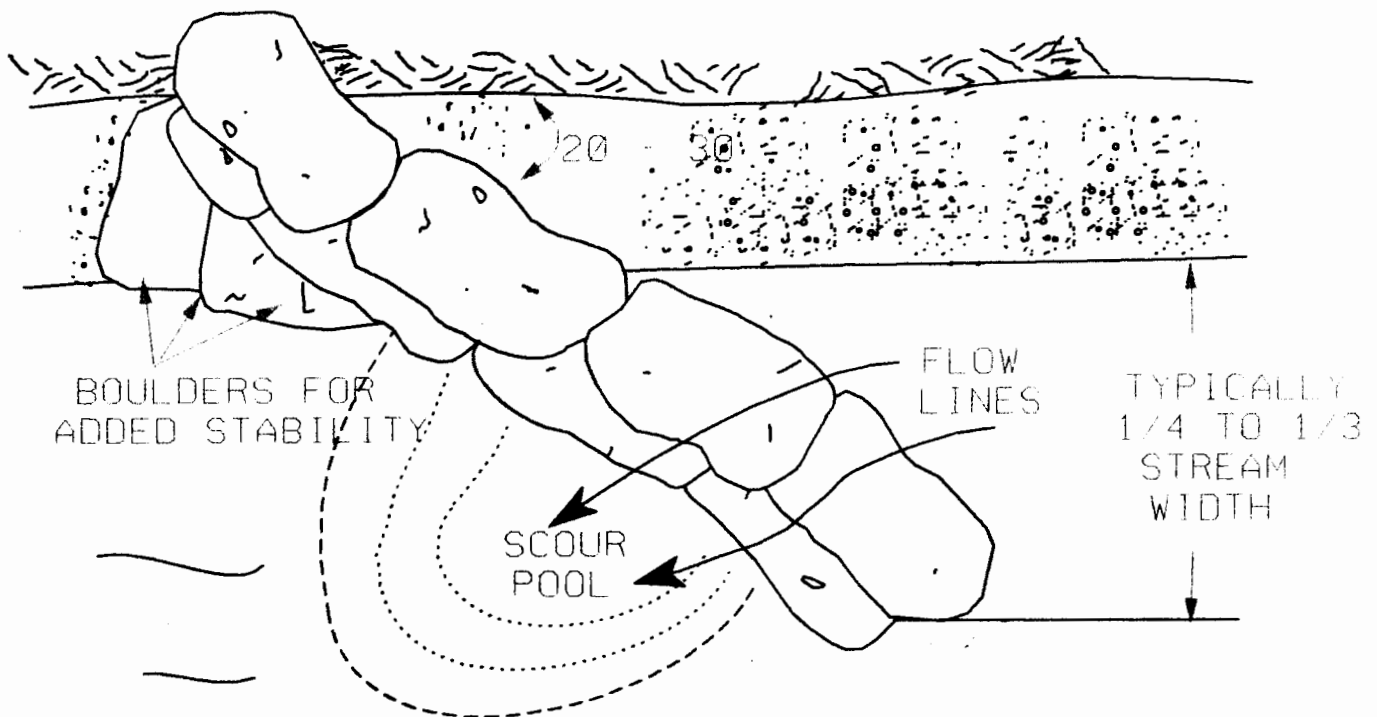


PROFILE VIEW OF CENTER OF CROSS VANE

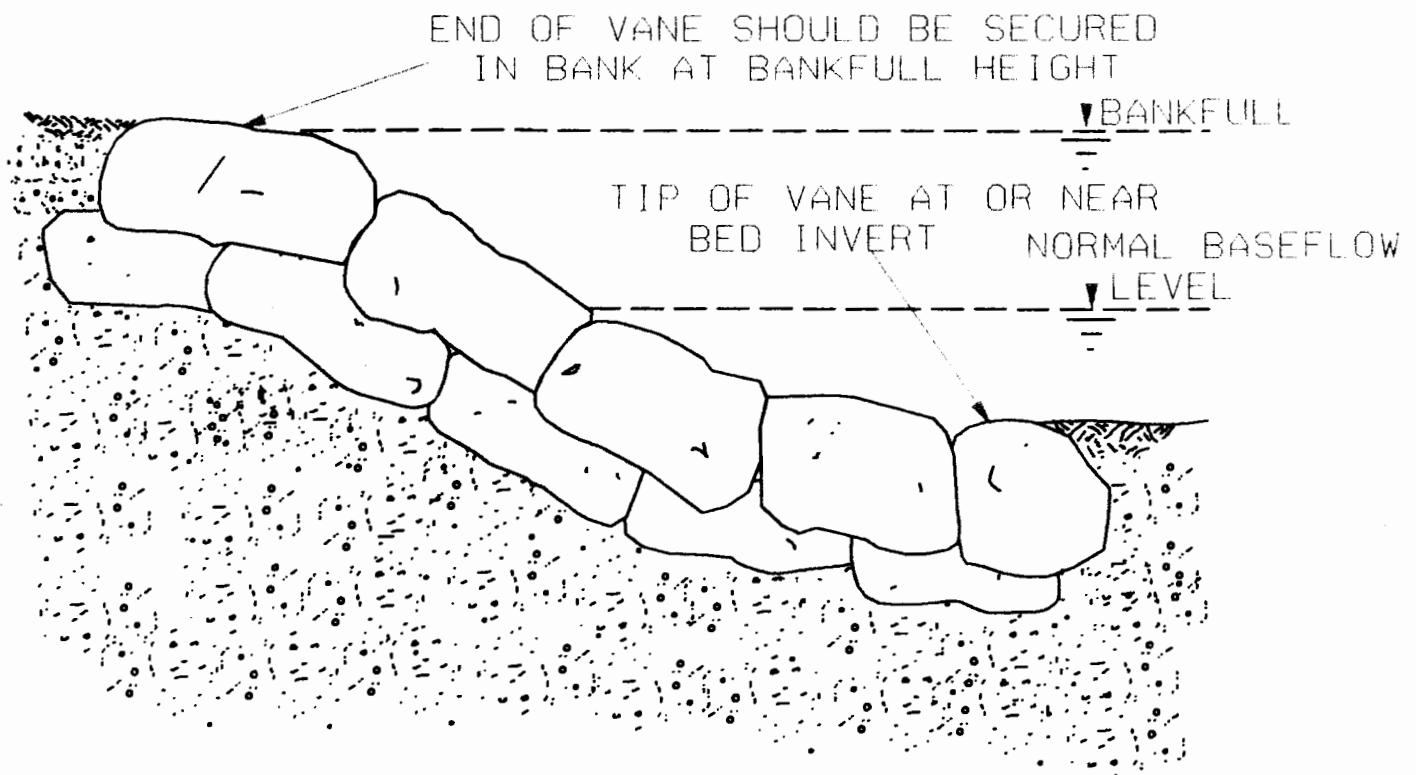


DETAIL 3.3(A): ROCK VANES

PLAN VIEW: ROCK VANE



SECTION VIEW: ROCK VANE



DESIGNED NOVEMBER 2000
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DETAIL 3.3(B): ROCK VANES

PROFILE VIEW: STRAIGHT VANE

